

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 1:12-CR-03109-10

ERNESTO RODRIGUEZ,

Defendant.

**AMENDED MOTION FOR FREE PROCESS ORDER**

COMES NOW, Defendant Ernesto Rodriguez, by and through counsel, and pursuant to U.S. Const. Amends V and VI and Rule 17(b) of the Federal Rules of Criminal Procedure, and respectfully petitions this Honorable Court for an Order for Free Process for witnesses he may call for a jury trial scheduled to begin on July 6, 2015. As grounds, Defendant states:

1. Mr. Rodriguez is indigent, as indicated by the appointment of the Office of the Federal Public Defender to represent him. He has no funds to pay for travel expenses or per diem for necessary witnesses for his trial.

2. The witnesses he intends to call are necessary for an adequate defense. The witnesses are Lucina Chairez, Socorro S. Cadena, and Humberto Mendoza. These witnesses are crucial to Mr. Rodriguez' defense.

3. Pursuant to Rule 17(b) of the Federal Rules of Criminal Procedure, the Defendant requests that process costs and witness fees be paid in the same manner as those paid for witnesses the government subpoenas.

WHEREFORE, Mr. Rodriguez respectfully requests that this Honorable Court issue an order for free process for the witnesses for such other and further relief as this Honorable Court deems proper.

I HEREBY CERTIFY THAT on August 25, 2016, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:  
AUSA Maria Ysabel Armijo;  
AUSA Randy M Castellano

/s/ Brian A. Pori

Respectfully submitted,

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/s/ Brian A. Pori  
BRIAN A. PORI, AFPD  
Attorney for Defendant